



10-21-04

PTO/SB/21 (08-00)

Approved for use through 10/31/2002

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JFW
81

TRANSMITTAL FORM		Application Number		10/646,318	
(to be used for all correspondence after initial filing)		Filing Date		08/22/2003	
		First Named Inventor		Koenck	
		Group Art Unit		3713	
		Examiner Name		Not Assigned	
		Attorney Docket Number		14366US02	
Total Number of Pages in This Submission					
ENCLOSURES (check all that apply)					
<input checked="" type="checkbox"/> Fee Transmittal Form		<input type="checkbox"/> Assignment Papers (for an Application)		<input type="checkbox"/> After Allowance Communication to Group	
<input checked="" type="checkbox"/> Fee Attached		<input type="checkbox"/> Drawing(s) (sheets)		<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences	
<input type="checkbox"/> Amendment/Reply		<input type="checkbox"/> Licensing-related Papers		<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)	
<input type="checkbox"/> After Final		<input type="checkbox"/> Petition		<input type="checkbox"/> Proprietary Information	
<input type="checkbox"/> Affidavits/declaration(s)		<input type="checkbox"/> Petition to Convert to a Provisional Application		<input type="checkbox"/> Status Letter	
<input checked="" type="checkbox"/> Extension of Time Request		<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address		<input checked="" type="checkbox"/> Return-Receipt Postcard	
<input type="checkbox"/> Express Abandonment Request		<input type="checkbox"/> Terminal Disclaimer		<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):	
<input type="checkbox"/> Information Disclosure Statement		<input type="checkbox"/> Request for Refund			
<input type="checkbox"/> PTO 1449/08A with references		<input type="checkbox"/> CD Number of CD(s) _____			
<input type="checkbox"/> Certified Copy of Priority Document(s)					
<input checked="" type="checkbox"/> Response to Missing Parts/Incomplete Application					
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53					
Remarks		Supplemental Declaration			
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT					
Firm or Individual Name		McAndrews Held & Malloy, Ltd.			
Name (Print/type)		Ronald H. Spuhler		Registration No. (Attorney/Agent) 52,245	
Signature		<i>Ronald H. Spuhler</i>		Date: October 20, 2004	
EXPRESS MAIL DEPOSIT					
"Express Mail" mailing label number : EV 435 244 675 US					
Date of Deposit October 20, 2004.					

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FEE TRANSMITTAL for FY 2005

Effective 10/01/2004. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 1,530

Complete if Known

Application Number 10/646,318

Filing Date 08/22/2003

First Named Inventor Koenck

Examiner Name Not Assigned

Art Unit 3713

Attorney Docket No. 14366US02

METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit card ☐ Money ☐ Other ☐ None Order☐ Deposit Account:Deposit
Account
Number

13-0017

Deposit
Account
Name

McAndrews Held & Malloy

The Director is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Credit any overpayments
☒ Charge any additional fee(s) or any underpayment of fee(s)
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	790	2001	395	Utility filing fee	
1002	350	2002	175	Design filing fee	
1003	550	2003	275	Plant filing fee	
1004	790	2004	395	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	

SUBTOTAL (1)

(\$) 0

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	20**	Extra Claims	Fee from below	Fee Paid
		= 0	X	= 0
Independent Claims	3**			
		= 0	X	= 0
Multiple Dependent				
		X		= 0

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1202	18	2202	9	Claims in excess of 20
1201	88	2201	44	Independent claims in excess of 3
1203	300	2203	150	Multiple dependent claim, if not paid
1204	88	2204	44	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2)

(\$) 0

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet.	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	430	2252	215	Extension for reply within second month	
1253	980	2253	490	Extension for reply within third month	
1254	1,530	2254	765	Extension for reply within fourth month	1,530
1255	2,080	2255	1,040	Extension for reply within fifth month	
1401	340	2401	170	Notice of Appeal	
1402	340	2402	170	Filing a brief in support of an appeal	
1403	300	2403	150	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,370	2453	685	Petition to revive - unintentional	
1501	1,370	2501	685	Utility issue fee (or reissue)	
1502	490	2502	245	Design issue fee	
1503	660	2503	330	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17 (q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	790	2809	395	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	790	2810	395	For each additional invention to be examined (37 CFR § 1.129(b))	
1801	790	2801	395	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$) 1,530

SUBMITTED BY

Complete (if applicable)

Name (Print/Type)

Ronald H. Spuhler

Registration No. (Attorney/Agent)

52,245

Telephone

312-775-8000

Signature

Ronald Spuhler

Date

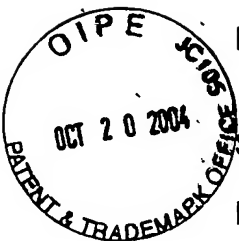
October 20, 2004

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing this form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
Attorney Docket Number 14366US02



In re Application of:
Steven E. Koenck, et al.

Serial No. 10/646,318

Filing Date: August 22, 2003

For: HAND-HELD DATA CAPTURE
SYSTEM WITH INTERCHANGEABLE
MODULES

Group Art: Not yet assigned

Confirmation No.: Not yet assigned

Examiner: Not yet assigned

Express Mail Label No.:
EV 435 244 675 US

Date of Deposit: October 20, 2004

RESPONSE TO NOTICE OF INFORMAL APPLICATION

Attention: Mail Stop Missing Parts
Assistant Commissioner for Patents
PO Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

In response to the April 20, 2004 Notice of Informal Application (attached as Exhibit A), Applicants submit a Supplemental Declaration (attached as Exhibit B), which has been duly executed by the inventors of the subject matter currently claimed in this application. It is Applicants' current belief that the other ten inventors whose names appear on the Declaration originally submitted in this case (Steven Koenck, Phillip Miller, Arvin Danielson, Dennis Durbin, Keith Cargin, George Hanson, Darald Schultz, Robert Geers, Darrell Boatwright and William Gibbs) did not contribute to the subject matter presently claimed in this particular application. Accordingly, these ten inventors should be deleted. The assignee of record is continuing to verify the proper inventive entity, and expressly reserves the right to amend the current inventive entity if necessary.

It should also be noted that Pamela Lucken (f/k/a Pamela Mahany) executed the Supplemental Declaration on behalf of her deceased husband, Ronald Mahany. Ronald Mahany passed away several years ago, and as such, his estate has been closed and the Administrator has been discharged of any duties. Mrs. Lucken has commenced proceedings with the Court in Cedar Rapids, Iowa to obtain new letters of administration, as required by MPEP Rule 409.01(c). Applicants and Mrs. Lucken believe that the Court will issue such letters in due course, thereby allowing her to currently sign on Ronald Mahany's behalf. See MPEP 409.01(a) ("One who has reason to believe that he or she will be appointed legal representative of a deceased inventor may apply for a patent as legal representative in accordance with 37 CFR 1.42.")

Applicants also submit herewith as Exhibit C a request for a four (4) month extension of time in which to respond to the Notice of Informal Application, along with the appropriate fee. The Commissioner is hereby authorized to charge any additional fees required by this submission to the deposit account of McAndrews, Held & Malloy, Account No. 13-0017.

Dated: October 20, 2004

Respectfully submitted,
McAndrews, Held & Malloy, Ltd.

By: Ronald Spuhler
Ronald H. Spuhler
Reg. No. 52,245
Attorney for Applicant

McAndrews, Held & Malloy, Ltd.
500 West Madison Street
Chicago, Illinois 60661
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UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
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 Alexandria, Virginia 22313-1450
 www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/646,318	08/22/2003	Steven E. Koenck	14366US02

23446
 MCANDREWS HELD & MALLOY, LTD
 500 WEST MADISON STREET
 SUITE 3400
 CHICAGO, IL 60661



CONFIRMATION NO. 9697

FORMALITIES LETTER



OC000000012396203

Date Mailed: 04/20/2004

NOTICE OF INFORMAL APPLICATION

This application is considered to be informal since it does not comply with the regulations for the reason(s) indicated below. The period within to correct the informalities noted below and avoid abandonment is set in the accompanying Office action.

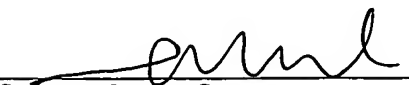
Items Required To Avoid Processing Delays:

The item(s) indicated below are also required and should be submitted with any reply to this notice to avoid further processing delays.

- A new oath or declaration, identifying this application number is required. The oath or declaration does not comply with 37 CFR 1.63 in that it:
- does not identify the citizenship of each inventor.

Replies should be mailed to: Mail Stop Missing Parts
 Commissioner for Patents
 P.O. Box 1450
 Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*


 Customer Service Center
 Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY

RESPONSE DUE:
 June 20, 2004